

same special technical feature: the catalyst of Group I. Moreover, this special technical feature is also shared by the claims of Group III.

The Examiner, citing PCT Rule 13.1 and 13.2, contends that Groups do not relate to a single general inventive concept because they lack the same or corresponding special technical features. Applicants wish to point out that MPEP 1893.03 (d) states that:

A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature.

Groups I-III do share a common technical feature, the catalyst of Group I. Accordingly, the criteria for unity of invention are satisfied.

Also citing PCT Rule 13.1 and 13.2, the Examiner, contends that a lack of unity exists between Groups I-III, because the special technical feature of the present invention -the catalyst of Group I - does not define a contribution over the prior art. To support this assertion, the Office states: "A composition comprising a refractory inorganic oxide, a metal of group IV, and at least one metal compound of group VIII is rendered obvious by EP-199399." However, the Examiner has not provide sufficient reasons and/or explanations to support such an assertion. In particular, Applicants note that the Examiner has not specified how this assertion relates to the catalyst of the present invention other than indicating that EP-199399 has a refractory inorganic oxide, a metal of group IV, and at least one metal compound of group VIII. However, this assertion by the Examiner is distinct from catalyst as defined in Claim 1. Accordingly, Applicants submit that the assertion by the Examiner is inadequate to support the present Restriction Requirement.

Moreover, Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application.

MPEP in §803 states as follows:

"If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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